

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and the remarks made herein.

Claims 1-25 are pending and stand rejected. Claims 1, and 3- 25 have been amended. No new matter has been added.

The claims are objected to as being incorrectly numbered in that two claims are represented with the numeral id "2."

Applicant thanks the examiner for his observation and has amended the numbering of the claims to reflect the claims as originally filed.

Having amended the claims to correct the claim identification, applicant respectfully request that the object be withdrawn.

Claims 1-25 are rejected under 35 USC 103(a) as being unpatentable over Mankovitz (USP no. 5,949,492) in view of Zuppich (USP no. 6,698,654). The Office Action states that with regard to claim 1, Mankovitz teaches all the elements claimed except that Mankovitz does not teach an application that is separate from an application of the host device. Zuppich teaches a method of interfacing with a data storage card in which he teaches the removable card running at least one application that is separate from an application of the host device. Therefore it would have been obvious to modify Mankovitz by the teachings of Zuppich.

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims. However, in order to advance the prosecution of this matter, applicant has elected to amend the independent claims to more clearly state the invention. More specifically, the claims have been amended to recite that the agent includes a known protocol and that the agent controls the communication between applications using the known protocol. No new matter has been added. Support for the amendments may be found in the applicant's description of the disadvantages of current care-host configurations (see page 4, line 6 through page 5, line 12) and the discussion to overcome these disadvantages.

Mankovitz recites an apparatus for accessing information relating to radio televisions programs. Mankovitz discloses that in one aspect users may communicate with the system using a dial-up phone line to a local PassKey Data Translator. The purpose of the translator is to first determine what type of I/O device is dialing-in and then translate the dial-in device signal format to the Internet signal format. The Office Action refers to this processing as being the same as the one element in the claims. Hence, Mankovitz teaches that the communications protocols used to communicate between the devices is known, and pre-stored, and a mere translation of one protocol to another is performed to enable the devices to communicate. However, Mankovitz fails to disclose that the downloaded agent includes a known protocol that is used to control the communications between the host and the card, as is described in the claims.

Zuppichich disclose a card reader which interfaces between a host application program and a data storage card. The card reader translates high level language commands of the host program to corresponding sequences of low level commands for reading and writing to the data storage card. Zuppichich discloses that the reader includes a store of protocols for different card applications and selects the appropriate lower level protocol for the identified card application. The reader further translates high level language host application program commands to corresponding commands with the identified lower level protocol. Hence, in this case, the communications protocols used to communicate between the devices is known, and prestored, and a mere translation of one protocol to another is disclosed. However, Zupicich fails to disclose that the downloaded agent includes a known protocol that is used to control the communications between the host and the card, as is described in the claims.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

As noted above Mankovitz and Zuppich teach systems that identify a protocol from a plurality of protocols and translate the identified protocol to a another, known, protocol. Neither Mankovitz nor Zuppich teach or suggest a downloaded agent including a known protocol that controls the communication between applications using the protocol, as recited in the claims. Accordingly, the present invention, as recited in claim 1 for example, is not rendered obvious by the cited references as neither reference discloses or suggests downloading an agent and the agent includes a known protocol.. Furthermore, even if the references were combined as suggested, the combination would not include all the elements recited in the claims, as amended, as neither references discloses a downloading a agent including a known protocol. Hence, the combined invention would not render obvious the present invention.

Having shown that the references cited fail to render obvious the invention claimed in claim 1, applicant submits that the the rejection of the claim has been overcome and can no longer be sustained. Applicant, therefore, respectfully requests that the rejection be withdrawn and the claim allowed.

With regard to independent claims 12 and 23-25, these claims recite subject matter similar to that recited in claim 1 and have been rejected for the same reason cited in rejecting claim 1. Accordingly, for the amendments made to these claims, which are similar to those made to claim 1, and for the applicant's remarks made in response to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of claims 12 and 23-25, applicant submits that the rejection of these claim has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

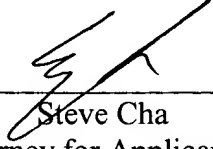
With regard to claims 2-11 and 13-22, these claims ultimately depend from claims 1 and 12, which have been shown to be allowable over the references cited. Accordingly, claim 2-11 and 13-22 are also allowable by virtue of their dependency upon an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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